

## Message Text

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FM AMCONSUL JERUSALEM

TO SECSTATE WASHDC 7461

INFO AMEMBASSY TEL AVIV

C O N F I D E N T I A L JERUSALEM 1623

E.O. 11652: GDS

TAGS: OGEN, IS

SUBJECT: PROPERTY OF THE RUSSIAN ORTHODOX CHURCH OUTSIDE RUSSIA

1. ARCHIMANDRITE ANTHONY GRABBE ASKED TO SEE ME URGENTLY OCTOBER 8 TO EXPRESS HIS CONCERN OVER RECENT DEVELOPMENTS IN HIS CHURCH'S LAW SUITS TO ESTABLISH OWNERSHIP OF VARIOUS PROPERTIES IN ISRAEL AND WEST JERUSALEM AND TO REQUEST U.S. ASSISTANCE.

2. OBVIOUSLY AGITATED, GRABBE WENT OVER MUCH OF THE SAME GROUND AS THAT IN HIS JULY 7 CONVERSATION WITH DEPUTY ASSISTANT SECRETARY SAUNDERS. AFTER A LONG HIATUS, HE SAID, THE COURT CASE HAD RECENTLY COME TO LIFE AND THE JUDGE HAD MADE SOME REMARKS WHICH HAD CAUSED GRABBE TO BECOME CONCERNED. THE JUDGE INDICATED THAT A DECISION WOULD BE HANDED DOWN PROBABLY WITHIN SIX WEEKS.

3. THE HEAD OF THE RUSSIAN ECCLESIASTICAL MISSION SUSPECTS THAT THE DEVELOPMENTS IN COURT ARE THE RESULT OF THE GOI'S DESIRE TO OBTAIN CLEAR TITLE TO THE PROPERTIES IN QUESTION WITH A VIEW TO USING THEM IN NEGOTIATIONS WITH THE SOVIET UNION (E.G., POSSIBLE RE-ESTABLISHMENT OF DIPLOMATIC RELATIONS, BETTER TREATMENT FOR SOVIET JEWRY). GRABBE SAID THAT HE HAD OFFERED TO SETTLE THE CASE OUT OF COURT IN EXCHANGE FOR COMPENSATION  
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WHICH COULD BE PAID OVER A PERIOD OF TIME. THIS HAD BEEN REJECTED.

GRABBE EMPHASIZED THAT HE COULD NOT PERMIT A MISCARRIAGE OF JUSTICE TO TAKEPLACE WHILE HE STOOD BY IN SILENCE AND THAT IN THE EVENT HIS CHURCH'S CLAIMS WERE NOT UPHELD, HE WOULD BE OBLIGED TO DENOUNCE THE GOI'S ACTION PUBLICLY AND THAT HE WOULD NOT ONLY APPROACH THE DEPARTMENT BUT SENATOR BUCKLEY FOR ASSISTANCE IN IN ABTAINING REDRESS. HE MENTIONED THAT HE MIGHT FLY TO WASHINGTON NEXT WEEK TO DISCUSS THE MATTER.

4. I SAID THAT I WAS ONLY RECENTLY ARRIVED IN JERUSALEM AND THAT MY KNOWLEDGE OF THE PROBLEM WAS CONFINED TO HIS PRESENTATION AND THE JULY 7 CONVERSATION WITH DEPUTY ASSISTANT SECRETARY SAUNDERS. IT WAS UP TO HIM TO DECIDE HOW BEST TO PROTECT HIS MISSION'S INTERESTS IN THE AREA; HOWEVER, SPEAKING PERSONALLY, I URGED HIM TO CONSIDER CAREFULLY THE IMPLICATIONS OF THE KIND OF PUBLIC STATEMENT HE HAD IN MIND. I PROMISED TO REPORT HIS CONCERNS AND REQUEST THE DEPARTMENT'S VIEWS. (AS DEPT AWARE, GRABBE MAINTAINS PROPERTY IN QUESTION BELONGS TO RUSSIAN ORTHODOX CHURCH OUTSIDE OF RUSSIA WHICH IS INCORPORATED IN NEW YORK.)

5. COMMENT: GRABBE'S ANXIETIES MAY HAVE BEEN STIMULATED BY THE RECENT GROMYKO-ALLON MEETING. DURING HIS LONG PRESENTATION, GRABBE'S PREOCCUPATIONS SEEMED TWO-FOLD: (A) CONCERN THAT AN ADVERSE COURT DECISION COULD PREJUDICE THE CHURCH'S OWNERSHIP OF ITS EXTENSIVE PROPERTIES IN EAST JERUSALEM AND THE WEST BANK AND (B) THE NEED FOR REVENUE TO MAINTAIN SUCH EXISTING CHURCH PROPERTIES. IT IS IN NO ONE'S INTEREST TO HAVE A PUBLIC OUTCRY AT THIS TIME OVER DISPUTED FOREIGN PROPERTY IN JERUSALEM. ONE WAY OF DEALING WITH GRABBE'S REQUEST WOULD BE TO SAY THAT WE HAVE NO FIRM INDICATIONS THT THE GOI AND THE USSR ARE ON THE VERGE OF RESUMING DIPLOMATIC RELATIONS. (IF THIS IS TRUE.) SINCE THE CASE IS NOW BEFORE THE COURTS, WE BELIEVE THE BEST COURSE IS TO AWAIT THE OUTCOME OF JUDICIAL ACTION. HOPEFULLY, THIS MIGHT HAVE A CALMING EFFECT ON GRABBE. REQUEST DEPARTMENT'S GUIDANCE.  
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